

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶119.41 BATTERED WOMEN TESTIMONY

Mr. HUGHES moved to suspend the rules and pass the bill (H.R. 1252) to authorize the State Justice Institute to analyze and disseminate information regarding the admissibility and quality of testimony of witnesses with expertise relating to battered women, and to develop and disseminate training materials to increase the use of such experts to provide testimony in criminal trials of battered women, particularly in cases involving indigent women; as amended.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. HUGHES and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HAYES of Illinois, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶119.42 CHILD CUSTODY LITIGATION

Mr. HUGHES moved to suspend the rules and pass the bill (H.R. 1253) to amend the State Justice Institute Act of 1984 to carry out research, and develop judicial training curricula, relating to child custody litigation.

The SPEAKER pro tempore, Mr. HAYES of Illinois, recognized Mr. HUGHES and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HAYES of Illinois, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and

said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶119.43 DOMESTIC VIOLENCE TESTIMONY

Mr. HUGHES moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 89):

Whereas State criminal courts often fail to admit expert testimony offered by a defendant concerning the nature and effect of physical, sexual, and mental abuse to assist the trier of fact in assessing the behavior, beliefs, or perceptions of such defendant in a domestic relationship in which abuse has occurred;

Whereas the average juror often has little understanding of the nature and effect of domestic violence on such a defendant's behavior, beliefs, or perceptions, and the lack of understanding can result in the juror blaming the woman for her victimization;

Whereas the average juror is often unaware that victims of domestic violence are frequently in greater danger of violence after they terminate or attempt to terminate domestic relationship with their abuser;

Whereas myths, misconceptions, and victim-blaming attitudes are often held not only by the average layperson but also many in the criminal justice system, insofar as the criminal justice system traditionally has failed to protect women from violence at the hands of men;

Whereas specialized knowledge of the nature and effect of domestic violence is sufficiently established to have gained the general acceptance which is required for the admissibility of expert testimony;

Whereas although both men and women can be victims of physical, sexual, and mental abuse by their partners in domestic relationship, the most frequent victims are women; and

Whereas a woman is more likely to be assaulted and injured, raped, or killed by her current or former male partner than by any other type of assailant, and over one-half of all women murdered are killed by their current or former male partners: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) expert testimony concerning the nature and effect of domestic violence, including descriptions of the experiences of battered women, should be admissible when offered in a State court by a defendant in a criminal case to assist the trier of fact in understanding the behavior, beliefs, or perceptions of such defendant in a domestic relationship in which abuse has occurred;

(2) a witness should be qualified to testify as an expert witness based upon her or his knowledge, skill, experience, training, or education, and should be permitted to testify in the form of an opinion or otherwise and

(3) a domestic relationship about which such expert testimony should be admissible includes relationships between spouses, former spouses, cohabitants, former cohabitants, partners or former partners, and between persons who are in, or have been in, a dating, courtship, or intimate relationship.

The SPEAKER pro tempore, Mr. HAYES of Illinois, recognized Mr. HUGHES and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. HAYES of Illinois, announced that

two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶119.44 LATE PAYMENT OF MAINTENANCE FEES

Mr. HUGHES moved to suspend the rules and pass the bill (H.R. 5328) to amend title 35, United States Code, with respect to the late payment of maintenance fees, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HAYES of Illinois, recognized Mr. HUGHES and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "A bill to amend title 35, United States Code, with respect to the late payment of maintenance fees."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶119.45 FEDERAL COURTS ADMINISTRATION

Mr. HUGHES moved to suspend the rules and pass the bill (H.R. 5933) to implement the recommendations of the Federal Courts Study Committee, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. HUGHES and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

On motion of Mr. HUGHES, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate

(S. 1569) to implement the recommendations of the Federal Courts Study Committee, and for other purposes.

When said bill was considered and read twice.

Mr. HUGHES submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 5933, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

By unanimous consent, H.R. 5933, a similar House bill, was laid on the table.

¶119.46 SOFTWARE COPYRIGHT CRIMINAL VIOLATION SANCTIONS

Mr. HUGHES moved to suspend the rules and pass the bill of the Senate (S. 893) to amend title 18, United States Code, to impose criminal sanctions for violation of software copyright; as amended.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. HUGHES and Mr. GEKAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend title 18, United States Code, with respect to the criminal penalties for copyright infringement."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶119.47 WITNESS FEES

On motion of Mr. HUGHES, by unanimous consent, the bill (H.R. 2324) to amend title 28, United States Code, with respect to witness fees; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 2, strike out lines 1 to 4 and insert:

"(f) Any witness who is incarcerated at the time that his or her testimony is given (except for a witness to whom the provisions of section 3144 of title 18 apply) may not receive fees or allowances under this section, regardless of whether such a witness is incarcerated at the time he or she makes a claim for fees or allowances under this section."

Page 2, after line 10, insert:

"(d) EFFECTIVE DATE.—The amendments made by this section shall be effective on

and after the date of the enactment of this act and shall apply to any witness who testified before such date and has not received any fee or allowance under section 1821 of title 28, United States Code, relating to such testimony."

On motion of Mr. HUGHES, said Senate amendments were agreed to.

A motion to reconsider the vote whereby said Senate amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶119.48 SUSPENSION OF RULES

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to section 3 of House Resolution 591, at 10 o'clock and 20 minutes p.m., announced the placing of a list at the Speaker's table and in each cloakroom describing the object of each motion to suspend the rules that may be considered no sooner than two hours after said notice.

¶119.49 PATENT AND PLANT VARIETY PROTECTION REMEDY CLARIFICATION

On motion of Mr. HUGHES, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 758) to clarify that States, instrumentalities of States, and officers and employees of States acting in their official capacity, are subject to suit in Federal court by any person for infringement of patents and plant variety protections, and that all the remedies can be obtained in such suit that can be obtained in a suit against a private entity.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶119.50 TRADEMARK REMEDY CLARIFICATION

On motion of Mr. HUGHES, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 759) to amend certain trademarks laws to clarify that States, instrumentalities of States, and officers and employees of States acting in their official capacity, are subject to suit in Federal court by any person for infringement of trademarks, and that all the remedies can be obtained in such suit that can be obtained in a suit against a private entity.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶119.51 CHILD SUPPORT PAYMENT JURISDICTION

Mr. FRANK moved to suspend the rules and pass the bill (H.R. 5304) to provide that a State court may not modify an order of another State court requiring the payment of child support unless the recipient of child support payments resides in the State in which the modification is sought, or consents to seeking the modification in such other State court; as amended.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. FRANK and Mr. GEKAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶119.52 INTERSTATE RAIL PASSENGER NETWORK COMPACT

Mr. FRANK moved to suspend the rules and pass the bill (H.R. 5602) granting the consent of the Congress to the Interstate Rail Passenger Network Compact.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. FRANK and Mr. GEKAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶119.53 WILKINSON COUNTY SCHOOL DISTRICT

Mr. FRANK moved to suspend the rules and pass the bill (H.R. 5998) for the relief of the Wilkinson County School District, in the State of Mississippi; as amended.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. FRANK and Mr. GEKAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?